

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

WILLIE B. HADLEY, JR.,)
)
)
Plaintiff,)
)
)
vs.) **Case No. 10-cv-468-JPG-PMF**
)
)
PAT QUINN, et al.,)
)
)
Defendants.)

MEMORANDUM AND ORDER

This matter comes before the Court on the Report and Recommendation (Doc. 56) of Magistrate Judge Philip M. Frazier recommending that the Court grant in part and deny in part the motion to dismiss filed by defendant Julie Davinroy (Doc. 52). Specifically, Magistrate Judge Frazier recommends the Court dismiss with prejudice plaintiff Willie B. Hadley's official capacity claims against Davinroy.

The Court may accept, reject or modify, in whole or in part, the findings or recommendations of the magistrate judge in a report and recommendation. Fed. R. Civ. P. 72(b)(3). The Court must review *de novo* the portions of the report to which objections are made. *Id.* "If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error." *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

The Court has received no objection to the Report. The Court has reviewed the entire file and finds that the Report is not clearly erroneous. Accordingly, the Court hereby:

- **ADOPTS** the Report in its entirety (Doc. 56);
- **GRANTS in part and DENIES in part** Davinroy's motion to dismiss (Doc. 52);

- **DISMISSES** Hadley's claims against Davinroy in her official capacity; and
- **DIRECTS** the Clerk of Court to enter judgment accordingly at the close of the case.

SO ORDERED.

DATED: July 19, 2011.

s/ J. Phil Gilbert
J. PHIL GILBERT
UNITED STATES DISTRICT JUDGE